

Petition to Respond to Notice of Incomplete Non-Provisional Application
filed under 37 CFR 1.53(b)

Re: **United States Patent Application No. 10/605,207 ('207 Application)**
Title: **Motorcycle Locking Device**
Inventor: **Craig Graulich**
Filing Date: **09/15/2003**

This petition is written in response to a Notice of Incomplete Non-Provisional Application (herein, "The Notice"). Specifically, The Notice states that the '207 Application was missing the specification (including at least one claim), and that the oath or declaration was unsigned (herein, "Missing Parts").

The applicant respectfully requests reinstatement of the '207 Application, a refund of the US \$400 petition fee, and a prompt examination of the application. The evidence for this petition is given below:

- Attached is a copy of the acknowledgement receipt (herein, "The Official Receipt") issued from the USPTO for the electronic filing of the '207 Application;

- The Official Receipt states that the Submission Package was successfully submitted to the USPTO, and that the '207 application should not be resubmitted;
- The Notice mailed on July 18, 2005 was the first official correspondence received from the USPTO with respect to the '207 Application;
- The Notice was the first time that the applicant was made aware that '207 Application was Missing Parts;
- The Applicant was not aware that the application package submitted to the USPTO was incomplete, and that the Missing Parts received by the USPTO was not intentional;
- The Applicant respectfully submits that on September 15th, 2003 ("the filing date") the Submission Package comprising the specification including the disclosure, the claims 1–10, the drawings, and the abstract were included in original submission package. A complete copy of the '207 Application is enclosed with the petition; and

- The Declaration was signed electronically in the original Submission Package. A copy of the signed declaration is enclosed with the petition.

PAT:vct

Enc: Official Acknowledgement Receipt, Patent Application

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



PETITION FEE
Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/605,207
Filing Date	09/15/2003
First Named Inventor	Craig Graulich
Art Unit	
Examiner Name	
Attorney Docket Number	

Enclosed is a petition filed under 37 CFR 1.17 (f) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 400 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

- The Commissioner is hereby authorized to charge the following fees to Deposit Account No. _____:
 petition fee under 37 CFR 1.17(f), (g) or (h) any deficiency of fees and credit of any overpayments
 Enclose a duplicative copy of this form for fee processing.
- Check in the amount of \$ _____ is enclosed.
- Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.53(e) - to accord a filing date.
 § 1.57(a) - to accord a filing date.
 § 1.182 - for decision on a question not specifically provided for.
 § 1.183 - to suspend the rules.
 § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
 § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

- § 1.12 - for access to an assignment record.
 § 1.14 - for access to an application.
 § 1.47 - for filing by other than all the inventors or a person not the inventor.
 § 1.59 - for expungement of information.
 § 1.103(a) - to suspend action in an application.
 § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
 § 1.295 - for review of refusal to publish a statutory invention registration.
 § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
 § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
 § 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
 § 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
 § 5.12 - for expedited handling of a foreign filing license.
 § 5.15 - for changing the scope of a license.
 § 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
 § 1.84 - for accepting color drawings or photographs.
 § 1.91 - for entry of a model or exhibit.
 § 1.102(d) - to make an application special.
 § 1.138(c) - to expressly abandon an application to avoid publication.
 § 1.313 - to withdraw an application from issue.
 § 1.314 - to defer issuance of a patent.

Signature

Paul Taylor

Typed or printed name

Date

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.